

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 98-651

January 26, 1999

MAINE PUBLIC SERVICE COMPANY,
Request for a Waiver of
Chapter 309 §5(A)(2)

ORDER OF APPROVAL

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

I. SUMMARY

On January 22, 1999, Maine Public Service Company (MPS) filed a request for a waiver of Chapter 309 § 5(A)(2) to allow MPS to locate a shorter version of the informational statement on the front of its customer bills. In this Order, the waiver request is granted.

II. AUTHORITY

Pursuant to section 4 of Chapter 309, approval of sample unbundled bill formats is delegated to the Director of the Consumer Assistance Division (CAD). Pursuant to section 7 of Chapter 309 of the Commission's rules, the Director of CAD may grant waiver requests, provided that "good cause" exists for granting the waiver, the waiver is consistent with the intent of the rule, and that the purposes of the rule will be satisfied in an alternative manner.

III. DECISION

On October 15, 1998, the Commission approved the format of sample unbundled bills submitted by MPS and granted a waiver of Chapter 309 § 5(B)(2). According to MPS, the waiver of Chapter 309 § 5(B)(2) was necessary because there was not enough space on the front of its customer bill to locate the informational statement and other information that was required by Commission rule or order (i.e. late payment fees statement). MPS proposed to locate the informational statement on a separate insert with every bill issued from January 1, 1999 through February 29, 2000 and display a bolded message on the front of the bill that directed the customer to the insert for more information on the unbundled charges.

On January 22, 1999, MPS submitted a request for a waiver of Chapter 309 § 5(A)(2) to substitute the following paragraph on the front of customer bills in place of the informational statement required by Chapter 309 § 5(A)(2).

*Your bill is itemized to preview electric competition.
As of March 2000, you may choose your electricity
supplier. MPS will still deliver your electricity.
Your total bill amount is not changed by this
breakdown.*

According to MPS, this change will allow it to locate the informational statement on the front of its customer bills, eliminating the need for a separate bill insert. Commission staff believe it is more beneficial to customers to have the shorter version of the informational statement located on the front of customer bills than the longer version located on a separate insert.

Accordingly, it is

O R D E R E D

That MPS's request for a waiver of Chapter 309 § 5(A)(2) is granted and that MPS place the following message on the front of all its customer bills: *"Your bill is itemized to preview electric competition. As of March 2000, you may choose your electricity supplier. MPS will still deliver your electricity. Your total bill amount is not changed by this breakdown."*

Dated at Augusta Maine, this 26th day of January, 1999.

BY ORDER OF THE DIRECTOR
OF THE CONSUMER ASSISTANCE DIVISION

Matthew F. Thayer

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Civil Procedure, Rule 73 et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.